

**MINUTES**  
**POLICY ADVISORY OPINION COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 IH-35 SOUTH, BOARD ROOM, AUSTIN, TEXAS**  
**August 28, 2014— 9:00 AM**

**CALL TO ORDER.** Carry Baker, Chair, called the Texas Board of Professional Engineers Policy Advisory Opinion Committee Meeting to order at 9:00 am on August 28, 2014, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX. (NOTE: all votes are unanimous unless noted.)

**1. Roll call and welcome visitors.**

Carry A. Baker, JD	Chair
Sina Nejad, P.E., P. Eng.	Member
Edward Summers, Ph.D.	Member
Kyle Womack, P.E.	Member (Excused Absence)
Bobby Ballí, P.E.	Member-Alternate

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Jose I. Guerra, P.E., Emeritus Board Member was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
C.W. Clark, P.E.	Director of Compliance & Enforcement
Robert Opiela, P.E.	Director of Licensing
Dewey Helmcamp, III JD	Staff Attorney
Charles Pennington, P.E.	Staff Engineer
Dorothy Gonzales	Executive Assistant

**Visitors.** Kent O'Brien, P.E., Texas Department of Transportation (TxDOT); Daniel O. Wong, Ph.D., P.E.

**2. Public comment.** None.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING ITEMS (AGENDA ITEMS 3-5):**

**3. Discuss and possibly approve the May 21, 2014, Policy Advisory Opinion Committee Minutes.**

It was MOVED/SECONDED (Nejad/Summers) to approve the May 21, 2014, Policy Advisory Opinion Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

**4. Engineering Advisory Opinion Request.**

- Discussion and possible consideration of EAOR#37 - Public Rights of Way and Private Utility Companies (Request from City of Austin)

Mr. Clark reported that additional research is still being completed. Stakeholder meetings will be scheduled with appropriate customers involved. Mr. Ballí, Board Liaison, added that staff is being thorough on research. We want to ensure that the Board provides appropriate guidance aligned with current requirement. Municipalities may approve city ordinances as they see fit. Staff will involve members of the Industry and Government advisory groups for input.

Mr. Clark announced that Mr. Charles Pennington, P.E., will be leaving the Board, and thanked him for his 13 years of service. Mr. Clark added that he will be in charge of the Policy Advisories.

No action was taken.

**5. Issues for consideration and schedule next meeting.**

A draft of EAOR#37 - Public Rights of Way and Private Utility Companies (Request from City of Austin) will be provided for approval.

**ADJOURN.**

It was MOVED/SECONDED (Ballí/Summers) to adjourn the meeting at 9:08 a.m. A vote was taken and the MOTION PASSED.

Date approved by Committee as submitted:	November 20, 2014
Date accepted by Board:	November 20, 2014